



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3687

Introduced 2/24/2005, by Rep. Michael K. Smith

SYNOPSIS AS INTRODUCED:

New Act

Creates the Technical Rescue Team Response Reimbursement Act. Requires any responsible party to reimburse the emergency response agencies responding to an emergency incident for the costs incurred in using technical response teams to provide emergency action. Provides that, if the responsible party fails to reimburse the emergency response agency, then moneys in the Emergency Response Reimbursement Fund shall be used to reimburse the agency and the responsible party shall be required to reimburse the Fund.

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FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Technical Rescue Team Response Reimbursement Act.

6 Section 5. Intent. The General Assembly finds that the cost
7 to fire departments and fire protection districts for training,
8 equipping, and using technical rescue teams is high and beyond
9 a basic level of service.

10 Section 10. Definitions. In this Act:

11 "Emergency action" means any action taken at or near the
12 scene of an emergency incident to prevent or minimize harm to
13 human health, to property, or to the environment.

14 "Emergency response agency" means a fire department or
15 volunteer fire protection organization that provides
16 firefighting services, emergency rescue services, or emergency
17 medical services.

18 "Person" means an individual, a corporation, a
19 partnership, an unincorporated association, or any unit of
20 federal, State, or local government.

21 "Responsible party" means any person who is responsible for
22 causing the need for technical rescue team services from an
23 emergency response agency.

24 "Technical rescue team" means any State or Mutual Aid Box
25 Alarm System (MABAS) technical rescue team providing
26 specialized rescue services.

27 Section 15. Reimbursement to agencies.

28 (a) It shall be the duty of the responsible party to
29 reimburse, in a timely and reasonable manner, the emergency
30 response agencies responding to an emergency incident for the

1 costs incurred in using technical response teams to provide
2 emergency action. All responsible parties shall be jointly and
3 severally liable for the costs incurred in using technical
4 response teams to provide emergency action.

5 (b) If the emergency response agencies are not reimbursed
6 by a responsible party, then moneys in the Emergency Response
7 Reimbursement Fund shall be used to reimburse emergency
8 response agencies for the cost of using technical rescue teams
9 to provide emergency action.

10 (c) Application for reimbursement from the Fund shall be
11 made to the State Fire Marshal or his or her designee. The
12 State Fire Marshal shall establish a standard form for the
13 application and promulgation of rules for the administration of
14 this Act.

15 Section 20. Reimbursement to the Fund.

16 (a) The responsible party shall reimburse the Fund for
17 money provided by the Fund to emergency response agencies as
18 the result of the failure of the responsible party to reimburse
19 the emergency response agencies, as required under Section 15.

20 (b) A voluntary contribution to the Fund or directly to an
21 emergency response agency does not constitute an admission of
22 responsibility relative to this Act or to any other State or
23 federal laws, rules, or regulations.

24 (c) If no party to the incident provides reimbursement to
25 the emergency response agency or to the Fund, the Attorney
26 General may, at the request of the State Fire Marshal,
27 institute a civil action to recover costs.

28 (d) If the emergency response agency receives payment from
29 any responsible party or the federal government, the emergency
30 response agency shall pay into the Fund an amount equal to any
31 reimbursement received from the Fund for that incident.